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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.												
10/624,881	07/21/2003	Ryan Andersen	70113 CCD	6788												
7590 Christopher C. Dunham c/o Cooper & Dunham LLP 1185 Ave. of the Americas New York, NY 10036		12/13/2007	<table border="1"><tr><td colspan="2">EXAMINER</td></tr><tr><td colspan="2">CHANG, RICK KILTAE</td></tr><tr><td>ART UNIT</td><td>PAPER NUMBER</td></tr><tr><td>3726</td><td></td></tr><tr><td>MAIL DATE</td><td>DELIVERY MODE</td></tr><tr><td>12/13/2007</td><td>PAPER</td></tr></table>		EXAMINER		CHANG, RICK KILTAE		ART UNIT	PAPER NUMBER	3726		MAIL DATE	DELIVERY MODE	12/13/2007	PAPER
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**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

**Office Action Summary**

Application No.

10/624,881

Applicant(s)

ANDERSEN ET AL.

Examiner

Rick K./Chang

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 10/12/07.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 38-46 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 38-46 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- 1) ☐ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO/SB/08)  
Paper No(s)/Mail Date \_\_\_\_\_
- 4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date \_\_\_\_\_
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: \_\_\_\_\_

## DETAILED ACTION

### *Claim Rejections - 35 USC § 103*

1. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

2. Claims 38-45 are rejected under 35 U.S.C. 103(a) as being unpatentable over Pemberton (US 3,760,093) in view of G. H. Thomen (US 3,530,661), and further in view of Young (US 4,009,561).

Re claims 38-45: Pemberton discloses in Fig. 3 a plurality of rollers, Examples 1-10 discloses different configurations, col. 3, lines 30-35 discloses rotating, it is inherent that the rolling passes positioned between the supply and the stranding machine. Pemberton fails to disclose roll sets and each roll set being configured and disposed to separately roll each advancing wire and each roll set comprising two oppositely disposed shaping rollers defining a plurality of aligned groove pairs, each groove pair defining a groove.

Thomen discloses roll sets shown in Fig. 4A and in Figs. 4-5 show different locations of roll sets and each roll set 45 comprising two oppositely disposed shaping rollers defining a plurality of aligned groove pairs (45s have concave grooves), each groove pair (two 45s located opposite to each other) defining a groove.

It would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Pemberton by providing roll sets and each roll set comprising two

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oppositely disposed shaping rollers defining a plurality of aligned groove pairs, each groove pair defining a groove, as taught by Thomen, for the purpose of evenly stressing and shaping the wires.

Young discloses providing each roll set (15) being configured and disposed to separately roll each advancing wire (Fig. 2).

It would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Pemberton by providing each roll set being configured and disposed to separately roll each advancing wire, as taught by Young, for the purpose of performing each wire.

Pemberton fails to disclose reducing the wires by no more than 25%, 30% or 40% and rotating the wires through an angle of 45 to 135. It would have been obvious to one having ordinary skill in the art at the time the invention was made to reduce the wires by no more than 25%, 30% or 40% and rotate the wires through an angle of 45 to 135, since it has been held that where general conditions of claims are disclosed in the prior art, discovering the optimum or workable ranges involves only routine skill in the art. *In re Aller*, 105 USPQ 233.

Re claim 46: Pemberton, Thomen and Young teach the invention as described with respect to claims 38-45. Pemberton fails to disclose a pulling device.

Young discloses a pulling device 12.

It would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Pemberton by providing a pulling device, as taught by Young, for the purpose of pulling a core from a pay off spool along a predetermined route of operation.

***Response to Arguments***

3. Applicant's arguments filed 10/12/07 have been fully considered but they are not persuasive.

The examiner thanks the applicants for providing support.

See col. 1, lines 53-55 discloses rolls in Pemberton.

***Interviews After Final***

4. Applicant note that an interview after a final rejection must be submitted briefly in writing the intended purpose and content of the interview (the agenda of the interview must be in writing). Upon review of the agenda, the Examiner may grant the interview if the examiner is convinced that disposal or clarification for appeal may be accomplished with only nominal further consideration. Interviews merely to restate arguments of record or to discuss new limitations will be denied. See MPEP 714.13 and 713.09.

***Conclusion***

5. Please provide reference numerals (either in parentheses next to the claimed limitation or in a table format with one column listing the claimed limitation and another column listing corresponding reference numerals in the remark section of the response to the Office Action) to all the claimed limitations as well as support in the disclosure for better clarity (optional). Applicants are duly reminded that a full and proper response to this Office Action that includes any amendment to the claims and specification of the application as originally filed requires that the applicant point out the support for any amendment made to the disclosure, including the claims. See 37 CFR 1.111 and MPEP 2163.06.

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6. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

7. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Rick K. Chang whose telephone number is (571) 272-4564. The examiner can normally be reached on 5:30 AM to 1:30 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, David P. Bryant can be reached on (571) 272-4526. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Rick K. Chang/  
Primary Examiner, A.U. 3726

RC  
December 5, 2007